

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KELLY BLOUNT

15A4813

-Against-

DETECTIVE WILLIAM PUSKAS, DETECTIVE
MARK MOCCIA, CAPTAIN STEWART A. LIEBER,
LIEUTENANT VALENTIN, LIEUTENANT BHOJ,
P.O. JASON KORPOLINSKI, SERGEANT WILSON
QUILES, P.O. EDDIE RIOS, SERGEANT O'ROURKE,
DETECTIVE REGNIER, SERGEANT LALIBERTE, P.O.
MARTINEZ, DISTRICT ATTORNEY ROBERT T. JOHNSON,
A.D.A. SEAN MARYNES, BRONX COUNTY, THE CITY
OF NEW YORK (THE CITY et, al)

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2016 JUN 15 AM 9:23

COMPLAINT

UNDER THE
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)

Jury Trial: ☒ Yes ☐ No
(Check One)

16CV4505

1. PARTIES IN THIS COMPLAINT:

A. PLAINTIFF

Name: KELLY BLOUNT
ID #: 15A4813
Current Institution: Downstate Corr. Facility
Address: Red Schoolhouse Road
Fishkill, New York 12524-0445

B. Defendant No.1

Name: Detective William Puskas
TAX #s: 918184
Where Currently Employed: BX. Detective Bureau
Address: 1086 Simpson Street
Bronx, New York 10459

Defendant No.2

Name: Detective Mark Moccia
Shield #: 21176
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx, New York 10466

Defendant No.3

Name: Captain Stewart A. Lieber
Shield #: Unaware
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx, New York 10466

Defendant No.4

Name: Lieutenant Valentin(Special ops.Lt)
Shield##0Unaware
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx,New York 10466

Defendant No.5

Name: Lieutenant Bhoj(Platoon Cmdr.)
Shield # Unaware
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx,New York 10466

Defendant No.6

Name: P.O Jason Korpöliniski
Tax # 942787
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx,New York 10466

Defendant No.7

Name: Sergeant Wilson Quiles(Anti-Cr-Supv)
Shield # Unaware
Where Currently Employed: 49th Precinct BX.
Address: 2121 Eastchester Road
Bronx,New York 10461

Defendant No.8

Name: P.o Eddie Rios
Shield #27268
Tax # 948412
Where Currently Employed: 49th Precinct BX.
Address: 2121 Eastchester Road
Bronx,New York 10461

Defendant No.9

Name: Sergeant O'Rourke (P.D.S.)
Shield # Unaware
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx,New York 10466

Defendant No.10

Name: Detective Regnier (P.D.S.)
Shield # Unaware
Where Currently Employed: 47th Precinct BX.
Address: 4111 Loconia Ave
Bronx,New York 10466

Defendant No.11

Name: Seregeant Laliberte(Evidence C. Team)
Shield # Unaware
Where Currently Employed: 1 Police Plaza
Address: 1 Police Plaza
New York, N.Y 10038

Defendant No.12	Name: P.O martinez(Evidence collection Team) Shield: Unaware Where Currently Employed: 1 Police Plaza Address: 1 Police Plaza New York,N.Y 10038
Defendant No.13	Name: District Attorney Rober T.Johnson(D.A) Where Currently Employed: Bronx Supreme Court Address: 265 East 161 Street Bronx,New YOrk 10451
Defendant No.14	Name: A.D.A Sean Marynes (A.D.A) Where Currently Employed:Bronx Supreme Court Address: 265 East 161 Street Bronx, New York 10451
Defendant No.15	Name: Bronx Coiunty 47th Precinct Address: 4111 Loconia Ave Bronx, New York 10466
Defendant No.16	Name: The City Of New York

2. STATEMENT OF CLAIM:

- A. The event occured on August 08,2012, When The Complainant was ~~Falsely~~ Falsely Imprisoned. I Complainant was arrested in his house at approximately 6:00am in the morning.
- B. The complainant went before a Grand Jury on August 14,2012,at approximately 6:00pm that same evening, The Complainant went home.
- C. Before the Complainant went home he was in fact held at V.C.B.C Correctional Facility in the Bronx, for six(6) days before his release from the courts.
- D. FACTS:

FACTS:

On **AUGUST 08, 2012**, at approximately **6:00am**, there were several plain clothes Detectives Banging and Knocking on the Complainants windows and doors. When Complainant opened his house door, Complainant was then knocked down to the floor with excessive force by **DETECTIVE WILLIAM PUSKAS TAX#918184** and **MARK MOCCIA SHIELD#21176**. The complainant screamed out loud saying, **WHAT THE FUCK, "WHAT AM I BEING ARRESTED FOR"**. Both detectives stated for a robbery that was committed the night of **JULY 31, 2012**. By arresting the complainant these defendants violated his Constitutional Rights under the 8th and 14th Amendment.

The fact that **LIEUTENANT BHOJ, LIEUTENANT VALENTIN, SERGEANT GEE, SERGEANT O'ROURKE, CAPTAIN STEWART A. LIEBER** and **DETECTIVE MARK MOCCIA** knew that they had in custody the **"ONE MAN"**, who committed the crime, Violates Complainants 14th Amendment Constitutional Right.

Although, the Police Officers, **D.A** and **A.D.A DISTRICT ATTORNEY SEAN MARYNES**, knew that the complainant had nothing to do with the crime the prosecution had authorities place the complainant in a **LINE- UP** knowing that the complainant had nothing to do with this offense. **FALSELY ARRESTING THE COMPLAINANT, VIOLATING HIS CONSTITUTIONAL RIGHT UNDER THE 14th AMENDMENT.**

Several days later, the Complainant then testified before the Grand Jury on **AUGUST 14, 2012**, AT approximately **6:00pm**, that same evening, the Complainant went home after testifying before the Grand Jury. The Prosecution still did not give up. **A.D.A SEAN MARYNES** still continued to **MALICIOUSLY PROSECUTE** the Complainant, Violating the Complainants 14th Amendment.

Complainants attorney **DAVID W. BARNHARD** had received **EXCULPATORY STATEMENTS** and **LETTERS** from alleged Co-Defendant, saying that complainant had **NOTHING TO DO WITH THIS OFFENSE**. **DAVID BARNHARD** then stepped down from representing the Complainant because Mr. **BARNHARD** said to **JUDGE LIEB(Part73)**, that **"I MR. BARNHARD HAVE RECEIVED LETTERS AND VOICE MAILS FROM ALLEGED CO-DEFENDANT, SAYING THAT HIS CLIENT KELLY BLOUNT**

HAD ABSOLUTELY NOTHING TO DO WITH THIS OFFENSE THAT OCCURED THE NIGHT OF JULY 31,2012, and in fact the co-defendant acted alone. Because of this, I Mr. BARNHARD might have to be a POTENTIAL WITNESS in the future for my Client KELLY BLOUNT.

FINALLY, after 1,072 days of fighting to prove my innocense, this case was in fact DISMISSED on AUGUST 07,2015,in Part(86) JUDGE TORRES courtroom in the Bronx, [SEE EXHIBIT 1].

3. INJURIES:

STATEMENTS OF FACTUAL ALLEGATIONS TO SUPPORT CLAIM UNDER
4th,6th,8th,and 14th FEDERAL CONSTITUTIONAL JURISPRUDENCE
& ARTICLE 1 SECTION NYSC

1. Plaintiff kelly blount states he was forcibly taken and seized without just or probable cause for an alleged robbery that had occured on July 31,2012,at gun hill road in the Bronx.
2. Plaintiff kelly blount claims after being taken from his residence and taken to the Detective Bureau, NO INTERROGATION WAS CONDUCTED.
3. Plaintiff Kelly Blount claims detectives excessively throw him to the floor knocking him out causing instant pain and suffering,mental anguish,emotional distress and all a direct result of the intentional infliction of the physical and emotional distress.
4. Plaintiff Kelly Blount states teenage nephews and neice witnessed complainants arrest and was subjected to the violence.

4. RELIEF:

State what you want the court to do for you(incuding the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

Plaintiff wants to institute Civil litigation asking for damages in the amount of \$14,000,000.00(FOURTEEN MILLION DOLLARS),and any other relief the court may deem just and proper.

5. PREVIOUS LAWSUITS: have you filed other lawsuits in state or federal court dealing with the same facts involved in this action? YES NO

I DECLARE UNDER PENALTY OF PREJURY THAT THE FOREGOING IS TRUE AND CORRECT
SIGNED THIS 16th day of JUNE, 2016.

PLAINTIFF SIGNATURE:

INMATE NUMBER:

INSTITUTION ADDRESS:

Kelly Blount
15A4813

DOWNSSTATE CORRECTIONAL FACILITY
RED SCHOOLHOUSE ROAD BOX F
FISHKILL, NEW YORK 12524-0445

I DECLARE UNDER PENALTY OF PREJURY ON THIS 16th day of JUNE, 2016,
I AM DELIVERING THIS COMPLAINT TO PRISON AUTHORITIES TO BE MAILED TO THE PRO SE
OFFICE OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK.

SIGNATURE OF PLAINTIFF:

Kelly Blount

AH01
 COUNTY: BRONX
 GENERATE A DEFENDANT HISTORY (Y/N)? N
 NAME: BLOUNT, KELLY T
 CCN: 65606113 R
 DOB: [REDACTED]
 IN CARE OF: [REDACTED]
 STREET: [REDACTED]
 CITY: BRONX
 RACE: B SEX: M

CRIMS APPEARANCE MENU
 APPEARANCE HISTORY
 DOCKET #:
 CASE #: 02726-2012
 ARREST #: B12659296
 ARREST DATE: 08/08/2012
 STANDARD & GOAL AGE: 0001072
 APT/FLR: MOTION(S) EXIST
 STATE: NY ZIP:
 FINISHED 08/10/2015

05/02/2016 7105

08/07/2015 (SEN)	86	JDG:TORRES,R	RPTR:OLIVER, SEN DISM
08/05/2015 (SEN)	86	JDG:TORRES,R	RPTR:OLIVER, SEN ADJ, DR
TOP RE			
07/31/2015 (TRA)	86	JDG:TORRES,R	RPTR:ARCHIE, NT ADJ, DNPRO
TOP RE			

APPEARANCE OPTION: 1) ALL, 2) FINAL DISP, PF11 TO VIEW PF9 TO VIEW
 3) APPELLATE, 4) KEY - ARRAIGN, DISP, SENT, RESENT MOTIONS CHARGES
 COMMAND: MESSAGE: SEALED 160.50 - NO PUBLIC RECORD

EXHIBIT 01